

Report Date: February 5, 2007

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 07 2007

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Rashidi Raynell Franklin

Case Number: 2:00CR00074-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Chief U.S. District Judge

Date of Original Sentence: 11/7/2000

Type of Supervision: Supervised Release

Original Offense: Distribution of Cocaine Base, 21
U.S.C. § 841 (a)(1), Possession With Intent to
Distribute Cocaine Base, 21 U.S.C. § 841 (a)(1),
Possession With Intent to Distribute Cocaine Base, 21
U.S.C. § 841 (a)(1)

Date Supervision Commenced: 02/02/2007

Original Sentence: Prison - 96 Months; TSR - 60
Months

Date Supervision Expires: 02/01/2012

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 16 You shall abstain from the use of illegal controlled substances and alcohol, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 20 You shall submit to warrantless searches of his person and/or property as directed by the U.S. Probation Office.

CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Rashidi Franklin was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Franklin has agreed to the proposed modifications.

Prob 12B

Re: Franklin, Rashidi Raynell

February 2, 2007

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Respectfully submitted,

by



Tommy Rosser

U.S. Probation Officer

Date: February 5, 2007

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

Feb. 7, 2007

Date